

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A multi-function processing apparatus, comprising:
 - an original detection unit that detects a set original;
 - a read unit that reads an image on the original;
 - an image formation unit that forms an image on a recording medium in toner;
 - a fixing unit that heats the toner image formed on the recording medium;
 - a copy instruction unit that gives a copy operation instruction for causing the read unit to read the image of the set original and causing the image formation unit to form the image on the recording medium;
 - a fixing control unit that performs a first control processing for starting to raise a temperature of the fixing unit based on detection of the original by the original detection unit, and that performs a second control processing for starting to raise the temperature of the fixing unit based on the copy operation instruction given by the copy instruction unit; and
 - a mode setting unit that sets an operation mode of the fixing control unit to either one of a first operation mode in which the fixing control unit performs the first control processing or a second operation mode in which the fixing control unit performs the second control processing;
 - a transmission unit that transmits data read through the read unit to an external system; and
 - a second processing storage unit that stores a history of transmission processing of the read data or copy processing of the read data,
 - wherein the mode setting unit determines one of the transmission processing and the copy processing which has been performed more frequently based on the history of

the past processing, and sets the operation mode of the fixing control unit to one of the first control processing and the second control processing according to the determination, and

wherein the fixing control unit performs either one of the first control processing or the second control processing based on the set operation mode when the original detection detects the set original.

2. (Canceled)

3. (Previously Presented) The multi-function processing apparatus as claimed in claim 1, further comprising:

a transmission unit that transmits data read through the read unit to an external system; and

a connection state detection unit that detects whether or not the transmission unit is connected to an external unit;

wherein, when the connection state detection unit detects the transmission unit being unconnected to an external unit, the mode setting unit sets the operation mode of the fixing control unit to the first control processing.

4. (Original) The multi-function processing apparatus as claimed in claim 3,

wherein the transmission unit includes a facsimile unit that transmits the image data read through the read unit as facsimile data; and

the connection state detection unit detects whether the facsimile unit is connected to a public line network.

5. (Previously Presented) The multi-function processing apparatus as claimed in claim 1,

wherein the mode setting unit has a manual setting mode of manual operation and an automatic setting mode and sets the operation mode of the fixing control unit according to one of the manual setting mode and the automatic setting mode.

6. (Previously Presented) The multi-function processing apparatus as claimed in claim 5, further comprising:

a first processing storage unit that stores control processing executed by the fixing control unit;

wherein, when the mode setting unit is set to the automatic setting mode, the mode setting unit sets the operation mode of the fixing control unit based on the past control processing stored in the first processing storage unit.

7. (Canceled)

8. (Previously Presented) The multi-function processing apparatus as claimed in claim 5, further comprising:

wherein, when the control processing setting unit is set to the manual setting mode, the mode setting unit sets the operation mode of the fixing control unit based on operation of a switching unit.

9. (Previously Presented) The multi-function processing apparatus as claimed in claim 1, further comprising:

a control processing instruction unit that is manually operational;

wherein the control processing instruction unit causes the mode setting unit to set the operation mode of the fixing control unit to the first control processing regardless of the setup state of the control processing of the fixing control unit.

10. (Previously Presented) The multi-function processing apparatus according to claim 1, further comprising:

a determination unit which determines which one of the first operation mode and the second operation mode is set by the mode setting unit in response to the original detection unit detecting the set original,

- wherein the fixing control unit performs either one of the first control processing or the second control processing based on a result of determination by the determination unit.